

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

----- X
LIBERTY MUTUAL INSURANCE COMPANY

Plaintiff,

vs.

**FAIRWAY GROUP HOLDINGS CORPORATION,
and FW OPERATING CORP. f/k/a
FAIRWAY OPERATING CORPORATION**

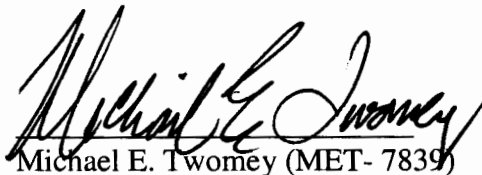
Defendants.
----- X

Case No.: 07 CV 11415 (LTS)

**PROOF OF SERVICE
ON DEFENDANT
FAIRWAY GROUP
HOLDINGS CORP.**

Attached is an affidavit of service of the summons and complaint herein upon defendant
Fairway Group Holdings Corporation.

Dated: January 2, 2008



Michael E. Twomey (MET- 7839)
Twomey, Hoppe & Gallanty, LLP
757 Third Avenue
New York, NY 10017
Phone: 212.688.0400
Fax: 212.688.1929

Of Counsel:

Laura A. Foggan
Dale E. Hausman
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
Phone: 202.719.7000
Fax: 202.719.7049

*Attorneys for Plaintiff Liberty
Mutual Insurance Company*

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07CV11415

Purchased/Filed: December 20, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF

Liberty Mutual Insurance Company

Plaintiff

against

Fairway Group Holdings Corp, et ano

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on December 21, 2007, at 2:00pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Action and Complaint

on

Fairway Group Holdings Corp., the

Defendant in this action, by delivering to and leaving with Chad Matice,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

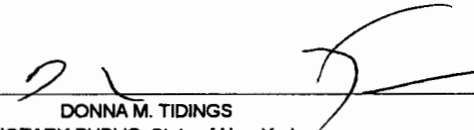
Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 28 Approx. Wt: 200 Approx. Ht: 6'0"

Color of skin: White Hair color: Brown Sex: M Other: _____

Sworn to before me on this

26th day of December, 2007


DONNA M. TIDINGS
NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 15, 2011


Jessica Miller

Invoice-Work Order # SP0710777

State of New York - Department of State
Receipt for Service

Receipt #: 200712240055
Date of Service: 12/21/2007
Service Company: 35 SERVICO - 35

Cash #: 200712240047
Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS
CORPORATION LAW

Party Served: FAIRWAY GROUP HOLDINGS CORP.

Plaintiff/Petitioner:
LIBERTY MUTUAL INSURANCE COMPANY

Service of Process Address:
FAIRWAY GROUP HOLDINGS CORP.
2284 12TH AVE
NEW YORK, NY 10027

Secretary of State
By: CLAUD MATTIO